

From: Engels, Alan  
Sent: Friday, February 09, 2018 02:59 PM  
To: Mia, Marcia; Kaminer, Joan  
Subject: FW: Response to CBI Inquiry on FOIA Request - Newfield  
Attachments: 00428809.PDF

Marcia / Joan:

Thanks for setting up the meeting on Monday to discuss the issue and provide us some additional guidance.

Attached is an example of some of the responses we are getting. Based on the request to extend to review CBI assertion, [REDACTED] Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

[REDACTED] Ex. 5 Deliberative Process (DP)  
[REDACTED] Ex. 5 Deliberative Process (DP)  
(recording it), 1.) [REDACTED] Ex. 5 Deliberative Process (DP)  
attempts to contact are not successful [REDACTED] Ex. 5 Deliberative Process (DP)  
[REDACTED] Ex. 5 Deliberative Process (DP)

Alan Engels

Regional FOIA Officer

US EPA, Region 8

1595 Wynkoop Street

Attn: 8TMS-IMP-CMU (FOIA)

Denver, Colorado 80202

Engels.Alan@epa.gov

(303) 312-6306

From: Sumner, Bret [mailto:bsumner@bwenergyllaw.com]  
Sent: Thursday, February 8, 2018 8:22 PM  
To: Engels, Alan <engels.alan@epa.gov>  
Cc: Cross, Michael <mcross@bwenergyllaw.com>  
Subject: Response to CBI Inquiry on FOIA Request - Newfield

Mr. Engels - On behalf of Newfield Exploration Company, we request a 30 day extension

of time to respond to the inquiry below in order to conduct due diligence and coordinate responses with other EPA Regions. Please also see our written request, along with additional information and requests, in the attached letter. Please do not hesitate to contact me if you have any questions or would like additional information.

Thank you.

-Bret Sumner

an attorney for Newfield

The U.S. Environmental Protection Agency has received a request under the Freedom of Information Act (FOIA) for records containing information related to certain compliance records submitted to the EPA under the New Source Performance Standard (NSPS) for Oil and Gas (NSPS 0000a) . This FOIA request is attached. The records requested include results of performance tests, initial semiannual reports for gas plants, semiannual reports for gas plants, annual reports and annual reports of excess emissions for sweetening units.

We believe you may have made a submittal under one or more of the provisions §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b).

By your response to this email, please indicate whether you wish to assert a confidential business information (CBI) claim with respect to any portion of report submitted under §§60.5422a(b), 60.5422a(a), 60.5420a(b), or 60.5423a(b) or any addendum, update or attachment to report, that your company has submitted to EPA.

If you decide to assert such a claim the EPA will temporarily treat the reports that you identify, and its updates, attachments and addenda, as confidential pending further investigation by the EPA. Please be advised that as part of such further investigation EPA is likely

to request (in a subsequent communication) that you substantiate any CBI claim. If you do not assert a timely CBI claim (see below) with respect to any portion of a report or its addenda, updates or attachments, as described above, those records may be released to the

requestor without further notice if EPA determines that the records are responsive to the FOIA request.

If you decide NOT to assert a CBI claim, please respond to this email and indicate your desire not to assert any CBI claims.

You have been identified by EPA as the responsible corporate official, under the FOIA regulations in 5 U.S.C. §552. Any CBI claim your company wishes to assert must be brought to the EPA's attention (by response to this email) no later than the close of business on the

third working day from the date of this receipt by the responsible official (not including weekends). If you have any questions regarding this matter, please contact Region 8 FOIA Officer Mr. Alan Engels at either Engels.alan@epa.gov or (303) 312-6306.

